

App. No. 09/940,141

Amendment A

Page 10

R E M A R K S

Reconsideration of the present application in view of the following remarks is respectfully requested. Claims 10 and 21 were previously canceled. Twenty-one claims are pending in the application: Claims 1-9, 11-20, and 22-23.

35 U.S.C. ' 103

1. Claims 1-5, 8-16, and 19-23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Publication No. 2002/0178361 (Genty et al.) in view of U.S. Patent No. 6,298,308 (Reid et al.).

At the outset, Applicant would again like to thank the Examiner for her time during the telephonic interview on August 2, 2005. As stated in the "Examiner Interview Summary" filed by Applicants, during the Examiner interview an agreement was reached regarding the independent claims. The Examiner and Applicants agreed that Genty et al. did not teach all of the limitations of independent claims 1, 11, 13 and 22. Specifically regarding claim 1, Applicants and the Examiner agreed that Genty et al. did not teach "receiving a request to establish a VPN session with a server-side system from at least one client computer out of a plurality of client computers coupled to a modem within a client-side system, where said request contains login details for a user of said at least one client computer" and "receiving a new request to establish a new VPN session with a different server-side system from a different client computer out of said plurality of client computers coupled to said modem within said client-side system, where said request contains new login details for a new user of said different client computer." Applicants pointed out to

App. No. 09/940,141

Amendment A

Page 11

the Examiner that Genty et al. did not show two client side computers coupled to a single modem. At the end of the teleconference, the Examiner agreed to withdraw the final rejection and either provide a notice of allowance or a non-final office action on the merits.

Turning now to the present rejection under 35 U.S.C. 103(a). The Examiner has provided the rejection from the previous final office action, however, has combined Genty et al. with Reid et al. The Examiner states on page 3 of the office action that:

Genty does not teach only one modem being shared within the client side. However, Reid teaches it in column 8, lines 16-17. Thus, it would have been obvious to one skilled in the art to combine Genty's invention with Reid's shared modem in order to indicate a machine failure or impending failure, a need for maintenance.

Genty et al. disclose a Virtual Private Network (VPN) that includes a system and method for dynamically determining a Certificate Revocation List (CRL) location and protocol. Figure 1 of Genty et al. shows one computer system 100 communicating with various VPNs by establishing multiple tunnels, one corresponding to each VPN (See Genty et al. paragraph 0039). Figure 2 of Genty et al. also shows one computer system 200 using multiple tunnels to securely transmit data to and from other computer systems using VPN configuration data and certificate data (See Genty et al. paragraph 0040).

In contrast, amended claim 1 recites in part "establishing a VPN tunnel between said at least one client computer having said network address and said server-side system, where said VPN tunnel is established over said modem" and "establishing a new VPN tunnel between said different client computer having said new network address and said new server-side

App. No. 09/940,141

Amendment A

Page 12

system, where said VPN tunnel is established over said modem." Therefore, Applicants amended claim 1 requires establishing two different VPN tunnels through the same modem. The first VPN tunnel established through the modem is between a first client computer and a first server-side system and the second VPN established through the same modem is between a different client computer having a new network address and a new server-side system. As discussed above, Genty et al. does not teach or suggest establishing two different VPN tunnels through the same modem.

Reid et al. discloses a diagnostic network with automated proactive local experts. The system of Reid et al. (shown in Fig. 2) includes a plurality of local experts 16 coupled to a modem 30 which allows for communication between the local experts 16 and a remote monitoring center 34. As stated at column 8, lines 16-17 of Reid et al. each local expert 16 communicates via a modem 30 (shared or individual) to the external DUN (Windows Dial Up Network) or VPN (Internet Virtual Private Network). Thus, Reid et al. discloses a system where either 1) each local expert has a modem to connect to a VPN or 2) all of the local experts have a single connection to a VPN. However, Reid et al. does not teach establishing two different VPN tunnels through the same modem.

Therefore, when modifying the teachings of Genty et al. with Reid et al., the Genty et al. system as modified would include a client computers and an additional computer coupled to a single modem with a single VPN connection to the server. Genty et al. still would not be a system that establishes two different VPN tunnels through the same modem. Thus, this combination still does not teach all of the elements recited by Applicants in claim 1. Namely, the combination still fails to teach "establishing a VPN tunnel between said at least one client computer having said

App. No. 09/940,141

Amendment A

Page 13

network address and said server-side system, where said VPN tunnel is established over said modem" and "establishing a new VPN tunnel between said different client computer having said new network address and said new server-side system, where said VPN tunnel is established over said modem," such as is claimed by Applicants. Specifically, neither reference teaches establishing both a first VPN tunnel over a modem and establishing a second VPN tunnel over the same modem. As discussed, *Reid et al.* teaches that more than one computer can be coupled to a modem and a VPN established. *Reid et al.* does not teach establishing two different VPN tunnels through the same modem.

Furthermore, the Examiner states that while "Genty does not teach only one modem being shared within the client side. However *Reid* teaches it in Column 8, lines 16-17." However, Applicants' claim does not recite simply one modem being shared within a client side. Applicants claim recites establishing both a first VPN tunnel and a new VPN tunnel (i.e., two different VPN tunnels) over the same modem. *Reid et al.* while showing more than one computer connected to the same modem, does not teach or suggest that more than one VPN tunnel is established through the modem. Furthermore, there would be no need to establish more than one VPN tunnel through the modem as all of the local experts are a part of the same system and would thus have no need to be isolated from each other while being connected to the remote monitoring center. In contrast, Applicants' system, in one embodiment, allows for two different client side computers to be connected to two different server computers through two different VPN connections. Thus, neither *Genty et al.* nor *Reid et al.* nor their combination teach establishing two different VPN tunnels through the same modem and thus do not teach or suggest "establishing a VPN tunnel between

App. No. 09/940,141

Amendment A

Page 14

said at least one client computer having said network address and said server-side system, where said VPN tunnel is established over said modem" and "establishing a new VPN tunnel between said different client computer having said new network address and said new server-side system, where said VPN tunnel is established over said modem," such as is claimed by Applicants.

Therefore, the combination of Genty et al. and Reid et al. fails to present a *prima facie* case of obviousness as the combination fails to teach each and every element of Applicants' claimed invention (See, M.P.E.P section 2142). Therefore, Applicant respectfully submits the rejection of claim 1 is overcome.

Similarly to claim 1, claim 11 recites in part "establishing a VPN tunnel between said at least one client computer having said network address and said server-side system, where said VPN tunnel is established over said modem" and "establishing a new VPN tunnel between said different client computer having said new network address and said server-side system, where said VPN tunnel is established over said modem."

As stated above, the combination of Genty et al. and Reid et al. fails to present a *prima facie* case of obviousness. Specifically, neither reference teaches establishing both a *first* VPN tunnel over a *modem* and establishing a *second* VPN tunnel over the *same modem*. Reid et al. teaches that more than one computer can be coupled to a *modem* and a *VPN* established. Reid et al. does not teach establishing two *different* VPN tunnels through the *same* *modem*. Thus, Applicant respectfully submits that the rejection of claim 11 is overcome.

Applicants also respectfully submit that all of the pending claims are not rendered obvious by the combination of

App. No. 09/940,141

Amendment A

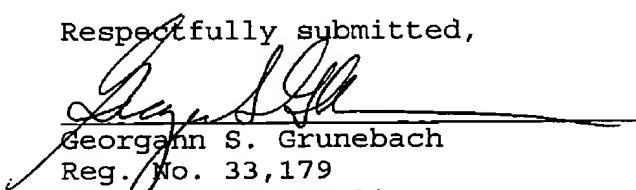
Page 15

Genty et al. and Reid et al. for at least all the same reasons as stated above with reference to claims 1 and 11.

C O N C L U S I O N

In view of the above, Applicants submit that the pending claims are in condition for allowance, and prompt and favorable action is earnestly solicited. Applicants have made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (310) 964-4615 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

  
Georgann S. Grunebach

Reg. No. 33,179

Attorney for Applicants

Dated: December 8, 2005

Address all correspondence to:

The DirecTV Group, Inc.

RE/R11/A109

2250 E. Imperial Highway

P.O. Box 956

El Segundo, CA 90245

Telephone No. (310) 964-4615